

Screening Form
Low-Effect Incidental Take Permit Determination and
National Environmental Policy Act (NEPA)
Environmental Action Statement

I. HCP Information

A. HCP Name: Campbell Home Ranch Habitat Conservation Plan

B. Affected Species:

California tiger salamander (CTS; Santa Barbara County distinct population segment)

C. HCP Size (in stream miles and/or acres):

This HCP applies to two portions: 1) a 40 acre, grassy, upland portion of the Ranch possessing CTS habitat proposed for new agricultural and/or residential development; and 2) mitigation lands totaling about one acre of high-value aquatic habitat that would be protected under a conservation easement held by the Land Trust for Santa Barbara County.

D. Brief Project Description (including minimization and mitigation plans):

The proposed HCP includes development of vineyard, berries, other row crops, dry-farmed crops, residential development, or other uses as allowed by the County of Santa Barbara with additional permitting for a period of 30 years.

The proposed HCP area is located in an unincorporated portion of Santa Barbara County adjacent to Highway 246. The land to be covered under this HCP is comprised of a 20-acre portion of Assessor's Parcel Numbers (APN) 099-110-071 and all 20 acres of APN 099-110-069. Covered lands also include a one-acre portion of APN 099-170-054, which contains a portion of pond LOAL-2w destined to be protected to mitigate habitat loss caused by development. The Project area is located in the Santa Rita CTS Metapopulation, and is part of Critical Habitat Unit 6 (Santa Rita Valley).

CTS have been documented on various occasions within the CTS known breeding pond LOAL-2w located in the covered lands of the HCP. A smaller CTS breeding pond, LOAL-2e, not located within the covered lands, is found about 250 meters to the southeast. LOAL-2e, approximately 20 meters in diameter and 1.5 meters deep, retains water year-round in most years. The Service has also identified five additional potential CTS breeding ponds within 1.24 miles (the assumed, maximum CTS dispersal distance) of the plan area (Service, 2010 Figure 2): LOAL-3, LOAL-4, LOAL-5, LOAL-6, and LOAL-41. However, Pond LOAL-41 has been erroneously identified as a potential breeding pond for CTS, as it is supplied not by runoff, but by a water well that for many years has been operated in such a way that this feature has

effectively remained too dry to support CTS. Considering that the plan area contains suitable aquatic and upland habitat, there is a high probability that CTS occur within the plan area.

Goals and objectives for covered species

Goal 1: Avoid and minimize take, in the form of injury or mortality, of CTS

Objective 1.1: Conduct pre-construction surveys for CTS.

A Service approved biologist will conduct pre-construction reconnaissance surveys to identify suitable habitat or individual CTS that may be present within the project area prior to the commencement of activities that could result in take of the species. The objective of pre-construction survey is to identify any CTS within the project area and relocate them to nearby suitable habitat as well as identify any resources within the project area that the destruction of could result in the take of CTS.

Objective 1.2: Conduct clearances and monitoring during initial activities

Daily pre-activity surveys will be conducted in the project area for open trenches and excavations, exclusion fences, debris and equipment stock piles and for all equipment to ensure no CTS have migrated into the project area during initial ground disturbing activities. Construction work and ground-disturbing work will not be initiated until the biologist has completed the daily biological clearance. The Service approved biologist will remain onsite and be present during the installation of construction fencing or ground-disturbing activities including grading and excavation activities (e.g., clearing of vegetation and stripping of the surface soil layer) to monitor for the presence of CTS.

Objective 1.3: Stop Work and Relocate any observed CTS

If a CTS is encountered within the project area during work activities, they will be relocated to the nearest suitable habitat out of the work area by a Service approved biologist. The biologist will have the authority to order any reasonable measure necessary to avoid injury or mortality of CTS and to stop any work or activity that is not in compliance with the conditions set forth in the HCP. The Services' Ventura Office will be notified within 24 hours of any relocation or "stop work" order and this order will remain in effect until the issue has been resolved, or the animal has moved out of the work area on its own.

Avoidance Measures

- Initial ground disturbing work shall not occur if the chance of rain for the planned work period, as predicted by the NOAA National Weather Service, is more than 70 percent; and shall not commence within 48 hours following a rain event greater than 0.5 inch.

- Silt fence or other barrier impermeable to CTS will be installed around the perimeter of the area of disturbance, including areas used for storage of equipment or materials.
- Trenching, ripping, plowing or other activities required for installation of silt fence or preparation of soil for agricultural or residential development shall take place during daylight hours under the supervision of a biologist approved by the Service. Any CTS discovered during this activity will be moved by the biologist to safe areas adjacent to the area of disturbance.
- The work area will remain clean. All food-related trash items will be enclosed in sealed containers and removed from the site regularly.
- All vehicles/equipment should be in good working condition and free of leaks. All leaks should be contained and cleaned up immediately to reduce the potential of soil/vegetation contamination.
- All vehicle maintenance/fueling/staging will occur not less than 100 feet from any riparian habitat or water body.
- No equipment will be permitted to enter wetted portions of any affected drainage channel or aquatic habitat.
- Trenches with vertical sides will be covered or have adequate means of escape (earthen ramps not more than 2:1 slope).
- All trenches, pipes, culverts or similar structures will be inspected for animals prior to burying, capping, moving, or filling.

Minimization Measures

- **Pre-construction Survey:** As a condition of ITP issuance, the applicant will retain a biologist, approved by the Service, to conduct surveys prior to the initiation of construction or, if phased, prior to the initiation of each phase as a measure to minimize take of CTS. Pre-construction surveys will only be conducted prior to the initial ground disturbing work and will not be conducted prior to any proposed operation and/or maintenance activities. The objective of pre-construction surveys is to locate as many CTS and other native species as possible and move them out of harm's way. These surveys will be conducted within 48 hours prior to the start of construction, including exclusion fencing installation, and will include full coverage visual surveys of the project site. To ensure that diseases are not conveyed between work sites by the biologist, the fieldwork code of practice developed by the *Declining Amphibian Populations Task Force* should be followed at all times. The results of the pre-construction surveys will be presented as part of HCP reporting requirements.
- **Capture and Moving of Individuals:** All live CTS of any life stage found during the pre-construction surveys (and/or construction monitoring) will be captured and

moved out of harm's to an offsite location by a Service-approved biologist. The biologist will contact the Ventura Fish and Wildlife Office to discuss an appropriate point of release. Captured CTS will immediately be placed in containers with moist soil and plant material from the capture location (if any is available), and released in designated release areas no more than 3 hours after capture.

- **Exclusion Fencing:** During initial ground disturbing work, the work area will be surrounded by a solid temporary exclusion fence (such as silt fence) that will be buried into the ground and extend at least three feet above the ground and buried to a depth of at least 6 inches to exclude CTS from entering the project area. The location of the fencing will be determined by a Service-approved biologist. The fencing will be installed during the dry conditions prior to rain events that may stimulate movement of CTS. During the period of initial ground disturbing work, the fence will be inspected daily to assure that it is functioning properly to exclude CTS from the project area. The fence will remain in place throughout construction. Ingress/egress will be temporarily sealed off overnight using a section of fence that is anchored to the ground (e.g., fire hose filled with sand or sand bags can be used to anchor the bottom of the fence or the bottom must be buried).

Mitigation Measures

In order to determine the amount of mitigation needed, the value of the impacted habitat was calculated using the methodology outlined in Searcy and Shaffer (2008), incorporating the amount of aquatic breeding habit and upland habitat covering the site to be impacted. A mitigation ratio of 1:1 (reproductive units lost: mitigation units required) was then applied for impacts to habitats. The method described in Searcy and Shaffer (2008) attaches a value to habitat that scales with the reproductive value of the individuals estimated to be occupying an area.

For this HCP, the Service conducted a model run (utilizing Searcy and Shaffer [2008]). In order to determine the loss in reproductive value as a result of implementation of a covered activity, the model was run to calculate the loss of reproductive value. To compensate for the loss of upland habitat, the applicant is in the process of developing a plan to establish a conservation easement on applicant-owned land prior to commencing any ground-disturbing activities or any other activity that could result in take of covered species. The conservation lands will be protected in perpetuity through the easement. This effectively mitigates for the project's impacts to CTS and its habitats.

Monitoring

Monitoring tracks compliance with the terms and conditions of the HCP and ITP. There are three types of monitoring: (1) compliance monitoring tracks permittee compliance with the requirements specified in the HCP and ITP; (2) effects monitoring tracks the impacts of the covered activities on the covered species; and (3) effectiveness monitoring tracks the progress of the conservation strategy in meeting the HCP's biological goals and objectives. The monitoring measures that will be implemented to ensure compliance and/or determine if the biological goals and objectives are being met include those previously presented

under *Avoidance, Minimization, and Mitigation Measures*. Furthermore, documentation of compliance with the terms and conditions of the HCP will be provided in annual and final reports.

II. Does the HCP fit the following Department of Interior and Fish and Wildlife Service categorical-exclusion criteria? *The answer must be “yes” to all three questions below for a positive determination. Each response should include an explanation. If the answer is “no” to any question, the action cannot be categorically excluded, and an Environmental Assessment or an Environmental Impact Statement must be prepared.*

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP? [516 DM 8.5(C)(2); HCP Handbook] *Consider the degree or amount of take and the impact of that take on the species. Although take may occur under project implementation, after the minimization and mitigation measures proposed in the HCP are done, the impacts must be so minor as to result in negligible effects to the species (516 DM 8).*

Yes, the effects of the HCP are minor on the federally listed CTS and CRLF and their habitat. The area proposed for development is located relatively far away from suitable breeding ponds. Moreover, it lies on the far side of existing agricultural development that likely “shadows” (i.e. prevent or inhibit) CTS and CRLF dispersal from the breeding pond, thereby reducing the probability of CTS and CRLF movement to the proposed development area.

B. Are the effects of the HCP minor or negligible on all other components of the human environment, including environmental values and environmental resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, environmental justice, etc.), prior to implementation of the minimization and mitigation measures? [40 CFR 1508.14; 43CFR 46.205; HCP Handbook] *We do not consider a CatEx for these human environment factors; the Service’s primary authority is to laws under their jurisdiction. If the HCP includes minimization and mitigation measures for these other components as part of their project, we can enforce compliance by requiring in the permit that permittees fully implement their HCP.*

Yes, the effects on the HCP are minor and negligible on all other components of the human environment, including environmental values and environmental resources. The project would have negligible effects to air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, environmental justice, etc.

C. Would the incremental impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable future actions (regardless of what agency or person undertakes such other actions) not result, over time, in a cumulative effects to the human environment (the natural and physical environment) which would be considered significant? [40 CFR 1508.7; 43CFR 46.205; HCP Handbook]

Yes, the incremental impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable future actions (regardless of what agency or person

undertakes such other actions) would not result, over time, in a cumulative effects to the human environment which would be considered significant. Any present and future projects that may occur in the vicinity of the permit area must include, when appropriate, minimization measures and mitigation that will minimize and avoid effects to environmental resources and listed species

III. Do any of the exceptions to categorical exclusions (extraordinary circumstances) listed in 43 CFR 46.215 apply to this HCP? *If the answer is “yes” to any of the questions below, the permit action cannot be categorically excluded from additional NEPA analysis, and an Environmental Assessment or an Environmental Impact Statement must be prepared. Each “no” response should include an explanation.*

Would implementation of the HCP:

A. Have significant impacts on public health or safety?

No, the project would have no implications on the health and/or safety of the public.

B. Have significant impacts on such natural resources and unique geographic characteristics as: historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990) or floodplains (Executive Order 11988); national monuments; migratory birds, eagles, or other ecologically significant or critical resources?

No, the project would not have any significant impacts on natural resources and/or unique geographic characteristics such as: historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990) or floodplains (Executive Order 11988); national monuments; migratory birds, eagles, or other ecologically significant or critical resources because none occur within the covered lands of the HCP.

C. Have highly controversial environmental effects (defined at 43 CFR 46.30), or involve unresolved conflicts concerning alternative uses of available resources [see NEPA section 102(2)(E)]?

No, the project does not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.

D. Have highly uncertain and potentially significant environmental effects, or involve unique or unknown environmental risks?

No, the project does not have highly uncertain and potentially significant environmental effects, or involve unique or unknown environmental risks.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No, the project does not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?

No, the project does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects because the proposed project does not have direct relationship to any other actions.

G. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places?

No, the project does not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places because none occur within the covered lands of the HCP.

H. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? *Consider the degree or amount of take and the impact of the take on the species. Although take may occur under project implementation, it must be so minor as to result in negligible species effects after minimization and mitigation measures have been completed. The same concept applies when considering effects to critical habitat.*

No, the proposed project would not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. The area proposed for development is located relatively far away from CTS breeding ponds. Moreover, it lies on the far side of existing agricultural development that likely “shadows” (i.e. prevent or inhibit) CTS dispersal from the breeding pond, thereby reducing the probability of CTS movement to the proposed development area. Additionally, the proposed project would result in the conservation of a portion of CTS critical habitat unit 6.

I. Violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment.

No, the project would not violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment.

J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

No, the project would not have a disproportionately high and adverse effect on low income or minority populations.

K. Limit access to and ceremonial use of Indian sacred sites on Federal lands by

Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

No, the project would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites because these sites do not exist on site.

L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

No, the project would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. Alternatively, the project would result in the removal of noxious weeds.

IV. ENVIRONMENTAL ACTION STATEMENT

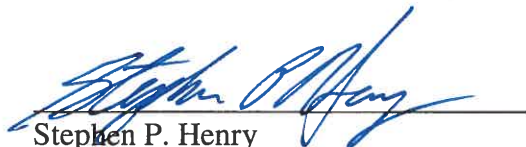
Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record.

Based on the information and analysis above, I determine that the proposed Incidental Take Permit for Campbell Home Ranch HCP qualifies for a categorical exclusion, as defined in 40 CFR 1508.4 and in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. Furthermore, no extraordinary circumstances identified in 43 CFR 46.215 exist for the Campbell Home Ranch HCP. Therefore, the Service's permit action for Campbell Home Ranch HCP is categorically excluded from further NEPA review and documentation, as provided by 40 CFR 1507.3; 43 CFR 46.205; 43 CFR 46.215; 516 DM 3; 516 DM 8.5; and 550 FW 3.3C. A more extensive NEPA process is unwarranted, and no further NEPA documentation will be made.

Other supporting documents:

Campbell Home Ranch Habitat Conservation Plan

Signature Approval:



Stephen P. Henry
Field Supervisor
Ventura Fish and Wildlife Office

7/27/17
Date